

February 22, 2010

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Invention: AMPLICON MELTING ANALYSIS WITH SATURATION DYES
Inventors: WITTWER et al.
Assignee: Idaho Technology, Inc.
Filed: April 20, 2005
Serial No.: 10/531,966
Patent No.: 7,582,429
Art Unit: 1637
Confirmation No.: 8958
Our Docket No.: P00950-US-01 (21932.0001)

REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF WYETH

In view of the recent Federal Circuit decision in *Wyeth v. Kappos* and pursuant to the United States Patent and Trademark Office's ("USPTO") interim procedure, Patentee hereby submits Form PTO/SB/131 and requests recalculation of the patent term adjustment under 35 U.S.C. section 154(b) indicated on the above-identified patent (the "Patent"). The Patentee's

Patent Number 7,582,429
February 22, 2010
Page 2

basis for requesting the recalculation is the USPTO's pre-*Wyeth* interpretation of 35 U.S.C. section 154(b)(2)(A).

As the Patent issued before March 2, 2010 and this Request is being made within 180 days of the date on which the Patent was granted, it is Patentee's understanding that no fees are due in connection with this Request. In the event that Patentee has inadvertently overlooked the need for any petition or payment of fees, Patentee hereby conditionally petitions therefore and authorizes any fee deficiency be charged to Deposit Account No. 09-0007. When doing so, please refer to docket number P00950-US-01 (21932.0001).

Respectfully submitted,

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